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RULES SUPPLEMENT TO PART-I
EXTRAORDINARY
OF

THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

No. 57] HYDERABAD, MONDAY, NOVEMBER 30, 2009.

NOTIFICATIONS BY GOVERNMENT

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REVENUE DEPARTMENT

(ENDOWMENTS - I)

THE ANDHRA PRADESH CHARITABLE AND HINDU RELIGIOUS INSTITUTIONS AND ENDOWMENTS DHARMIKA PARISHAD RULES, 2009.

[G.O. Ms. No.1206, Revenue (Endowments-I), 25th November, 2009.]

FINAL NOTIFICATION

In exercise of the powers conferred by sub-section (3) of Section 152 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987 Andhra Pradesh (Act 30 of 1987).The Government of Andhra Pradesh hereby makes the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Dharmika Parishad Rules, as the same having been previously issued in G.O.Ms.No. 1114, Revenue (Endts.I) Department, dated 16-9-2008 and published in the Andhra Pradesh Gazetted Extraordinary, dated 19th September, 2008 as required under sub-section (1) of Section 153 of the said Act.

G-665.

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RULES

1. Short Title:- These rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Dharmika Parishad Rules, 2009.

2. Definitions:- In these rules, unless the context otherwise requires;

- (a) "Act" means the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.
- (b) "Commissioner" means the Commissioner, Endowments Department, Andhra Pradesh appointed under section 3(1) of the Act and includes every officer who for the time being exercise the powers and performs the functions of the Commissioner.
- (c) "Dharmika Parishad" means the Andhra Pradesh Dharmika Parishad constituted by the Government under section 152(1) of the Act.

3. The Government may nominate the duly appointed Chairmen of the Boards of trustees and recognized Mathadhipathis etc., from the lists furnished by the Commissioner or any other suitable, eligible persons as members in the Dharmika Parishad.

4. The Chairman of Dharmika Parishad is authorized to exercise the functions of Dharmika Parishad in regard to constitution of Trust Boards and any other matter of urgency and place the same before the Dharmika Parishad for ratification in the next meeting.

5. The action already initiated by the Government like issue of notification for appointment of trust boards for the temples and institutions coming under the purview of Andhra Pradesh Dharmika Parishad, shall be valid and the remaining process shall be continued by the Andhra Pradesh Dharmika Parishad.

6. The term of the Dharmika Parishad shall be three years from the date of taking oath of office.

7. The term of each of the Chairman of Board of Trustees nominated to the Dharmika Parishad shall be co-terminus with their respective term as Chairman. They cease to be members of the Dharmika Parishad whenever they cease to be Chairman of Board of Trustees.

8. The Government may nominate another person for the remaining period in a vacancy caused by resignation, death or disqualification etc., of a non-official member of Dharmika Parishad.

9. No Proceedings of the Dharmika Parishad shall be invalid because of a vacancy in the membership of the Parishad.

10. No person shall be nominated to the Dharmika Parishad for more than two terms.

11. Any non-official member of the Dharmika Parishad shall be disqualified from being appointed as such:

- (i) if he is an undischarged insolvent.
- (ii) If he is of unsound mind and stands so declared by a competent court or if he is a deaf-mute or is suffering from leprosy or any virulent contagious disease.
- (iii) If he is interested either directly or indirectly, in a subsisting lease of any property or of contract made, with, or any work being done for, any institutions or endowment or is in arrears of any kind due by him either to such institution or to Government or to any statutory or local bodies.
- (iv) If he is appearing as a legal practitioner on behalf of or against the institution or endowment or Government.
- (v) If he has been sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed.
- (vi) If he has acted adverse to the interest of the institution or endowment or Government.
- (vii) If he is an office holder or servant attached to any institution or endowment.
- (viii) If he is addicted to intoxicating liquors or drugs.
- (ix) If he has not completed the age of 45 years.

12. A non-official member can resign his membership by sending a communication in writing to the Chairman of the Dharmika Parishad. The resignation shall come into effect from the date of acceptance by the Government.

13. There shall ordinarily be one meeting of the Dharmika Parishad in every three months. However, a special meeting of the Dharmika Parishad may be convened, if the Chairman so desires or if a requisition in that behalf is presented to the Chairman by at least 1/3rd members of the Dharmika Parishad and such requisition shall set out the matters for consideration in the meeting.

14. The date and venue of the meeting shall be such as may be decided by the Chairman.

15. The ordinary meeting of the Dharmika Parishad may be called by giving not less than (15) days notice in writing and a special meeting may be called by giving not less than 7 days notice in writing. However, the special meeting may be called for by giving shorter notice if the urgency of the business to be transacted, so requires.

16. An agenda for every meeting of Dharmika Parishad shall be prepared by the member secretary with the approval of the Chairman and shall be circulated to the members in advance.

17. The quorum necessary for the transaction of business at a meeting of the Dharmika Parishad shall be half of the sitting members.

18. Where a meeting has been adjourned for lack of quorum, the business which would have been brought before the original meeting of there had been a quorum present there at, shall be brought before, and may be transacted at the adjourned meeting, whether there is quorum present or not.

19. The Special Chief Secretary/Principal Secretary/Secretary, Revenue Department, in charge of the members of the Religious and Charitable Institutions and Endowments shall chair the meeting in the absence of Chairman.

20. All matters brought before any meeting of the Dharmika Parishad shall be decided by the majority of the votes of the members present and voting.

21. The Chairman or the person presiding over a meeting shall have and exercise a second or a casting vote in all cases of equality of votes.

22. The minutes of the meeting shall be recorded by the Member Secretary and communicated to the members after approval by the Chairman.

23. (i) The Chairman may in case of emergency, ascertain the opinion of the members by circulation of the records among the members and, in case of unanimity of opinion, carry out the decision. If there is difference of opinion among the members during such circulation, the matter shall be considered at an emergency meeting convened for that purpose.

(ii) Where an unanimous decision is taken in circulation, it shall be placed before the next meeting of the Dharmika Parishad for confirmation.

24. The Chairman of the Dharmika Parishad may for the purpose of consultation, invite any person or persons having experience or specialized knowledge in any subject under its consideration to attend any meeting of the Dharmika Parishad, but, such persons shall have no right to vote.

25. Every member or special invitee, not being an officer of the Government, performing journeys to attend the meeting of the Dharmika Parishad, shall be entitled to claim travelling and other allowances as applicable to Class I Officers / a State level committee. The Commissioner of Endowments shall be the controlling and countersigning authority in respect of such bills.

26. (i) The Dharmika Parishad may appoint, from amongst its members, such number of committees as the Dharmika Parishad deems necessary with not more than 3 members and assign to them such functions and duties as it may consider for the purpose which in turn has to submit its report to the Chairman of Dharmika Parishad.

(ii) A member shall cease to be a member of such Committee if he ceases to be a member of the Dharmika Parishad.

(iii) The Committee of the Dharmika Parishad may meet frequently depending upon the exigencies of work.

27. The Commissioner shall be responsible for carrying out all lawful decisions and resolutions passed by the Dharmika Parishad.

K.V. RAMANACHARI,
Principal Secretary to Government.